APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,243	10/25/2004	Kiyotaka Uchimoto	4035-0169PUS1	8938

2292   7590   06/25/2009
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
2178	

NOTIFICATION DATE	DELIVERY MODE
06/25/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

	Application No.	Applicant(s)
	10/500,243	UCHIMOTO ET AL.
Office Action Summary	Examiner	Art Unit	
	MATTHEW J. LUDWIG	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 April 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4-7 and 10-15</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4-7 and 10-15</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>5/8/2009</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the Request for Continued Examination received

4/27/2009.

2.   Claims 1, 4-7 and 10-15 are pending in the application. Claims 1 and 7 are independent

claims.

3.   Claims 1, 4-7 and 10-15 rejected under 35 U.S.C. 103(a) as being unpatentable over

Micher in view of Onishi have been withdrawn pursuant to applicant's amendments.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1, 4-7 and 10-15 rejected under 35 U.S.C. 102(e) as being anticipate by**

Shanahan et al., USPN 6,820,075 filed (12/5/2001).

In reference to independent claim 1, Shanahan teaches:

'*an input step for inputting at least a word as a keyword through input means, an*

extracting step for extracting at least one sentence or phrase including at least the keyword

from a database through extracting means'

The reference illustrates in figure 24 and discloses a means of inputting at least a keyword and

forming a query based upon the instantiated question. See column 30, lines 45-67.

'a text generation step for generating an optimum sentence based on the extracted at least one sentence or phrase by text generation means, wherein parses means morphologically analyzes and parses the extracted at least one sentence or phrase to obtain a dependency structure of the at least one sentence or phrase by determining the probability of dependency of the at least one sentence or phrase by applying a statistical technique using a dependency model, thereby generating a sentence having a maximum probability as the optimum sentence'

The reference provides a query submitted to an information service adapted to handle questions. Passages of the top N results of the query are extracted using a summarizer. The passages of the extracted top N results of the query are assigned part of speech tags and shallow parsed. Weights of relevance are calculated for each word in the passages of the extracted top N results of the query using the substantiated question and the determined question type. Sentences or part of sentences of the extracted passages with words having highest computed weight of relevance are selected as proposed answers. See column 30, lines 45-67.

In reference to dependent claim 4, Shanahan teaches:

The extracted top N results of the query are assigned part of speech tags and shallow parsed. Weights of relevance are calculated for each word in the passages of the extracted top N results of the query using the substantiated question and the determined question type. Sentences or part of sentences of the extracted passages with words having highest computed weight of relevance are selected as proposed answers to the instantiated question. See column 30, lines 45-67.

In reference to dependent claim 5, Shanahan teaches:

　　　passages of the top N results of the query are extracted using for example a summarizer. The passages of the extracted top N results of the query are assigned part of speech tags and shallow parsed. See column 30, lines 45-67. If the reference provides 'a keyword' which is required by the limitations of independent claim 1, as presently claimed, then it would not be necessary to form two keywords and allow for the learning model to perform word insertion between two keywords. It would be unnecessary and therefore would not be required.

In reference to dependent claim 6, Shanahan teaches:

　　　Weights of relevance are calculated for each word in the passages of the extracted top N results of the query using the substantiated question and the determined question type. Sentences or part of sentences of the extracted passages with words having highest computed weight of relevance are selected as proposed answers to the instantiated question. See column 30, lines 45-67.

In reference to claims 7, 8, 11, and 12, the claims recite the apparatus for carrying out the text generation method steps as disclosed in claims 1, 4, 5, and 6, respectively. Therefore, the claims are rejected under similar rationale.

In reference to dependent claim 13, Shanahan teaches:

　　　When an e-learning personality is applied to a document, each service in the personality analyzes the contents of the document, recognizing entities and concepts and combinations specific to that search. Eash service then links these entities, concepts, or combinations to new content found by a possibly web-based database search. See column 30, lines 55-67 and column 31, lines 1-15.

In reference to dependent claim 14 and 15, Shanahan teaches:

A query submitted to an information service adapted to handle questions. Passages of the top N results of the query are extracted using a summarizer. The passages of the extracted top N results of the query are assigned part of speech tags and shallow parsed. Weights of relevance are calculated for each word in the passages of the extracted top N results of the query using the substantiated question and the determined question type. Sentences or part of sentences of the extracted passages with words having highest computed weight of relevance are selected as proposed answers. See column 30, lines 45-67.

Response to Arguments

6.   Applicant's arguments with respect to claims 1, 4-7 and 10-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. LUDWIG whose telephone number is (571)272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
2178

ML